

New South Wales



ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 19, 1968.

An Act to make further provisions with respect to the election of mayors and presidents under the Local Government Act, 1919, and the systems of election under that Act; to abolish compulsory voting at local government elections and polls; to alter the day for holding the triennial election of aldermen and councillors; for these purposes to amend the Local Government Act, 1919, and certain other Acts; and for purposes connected therewith. [Assented to, 2nd October, 1968.]

BE

Local Government (Elections) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title.

1. (1) This Act may be cited as the "Local Government (Elections) Amendment Act, 1968".

(2) The Local Government Act, 1919, as subsequently amended, is in this Act referred to as the Principal Act.

Amendment
of Act No.
41, 1919.

Sec. 23.
(Composi-
tion of
city and
municipal
councils.)

2. (1) The Principal Act is amended—

(a) (i) by omitting subsections (1A) and (1B) of section twenty-three and by inserting in lieu thereof the following subsection :—

(1A) On and from the general election next following the commencement of the Local Government (Elections) Amendment Act, 1968—

- (a) the Council of the City of Newcastle shall be reconstituted and shall consist of twenty-one aldermen;
- (b) the Council of the City of Greater Wollongong shall be reconstituted and shall consist of fifteen aldermen; and
- (c) each council of any other municipality to which section 25A of this Act as in force immediately before that commencement applied immediately before that commencement shall be reconstituted and shall consist of such number of aldermen as had been last fixed by the Governor pursuant to this Act in respect of that council before that commencement.

(ii)

Local Government (Elections) Amendment.

- (ii) by inserting at the end of subsection two of the same section the following new paragraph :—
 This subsection extends to authorising the Governor to alter the number of aldermen of any council referred to in subsection (1A) of this section.
- (iii) by omitting from subsection eight of the same section the symbols, figure and letter “, (1B)”;
- (b) (i) by omitting subsections (1A) and (1B) of section twenty-four and by inserting in lieu thereof the following subsection :—
 (1A) On and from the general election next following the commencement of the Local Government (Elections) Amendment Act, 1968, each council of a shire to which section 25A of this Act as in force immediately before that commencement applied immediately before that commencement shall be reconstituted and shall consist of such number of councillors as had been last fixed by the Governor pursuant to this Act in respect of that council before that commencement.
 (ii) by inserting at the end of subsection two of the same section the following new paragraph :—
 This subsection extends to authorising the Governor to alter the number of councillors of any council referred to in subsection (1A) of this section.
 (iii) by omitting from subsection eight of the same section the symbols, figure and letter “, (1B)”;
- (c) by omitting subsection five of section twenty-five;
- (d) by omitting section 25A;
- (e)

Sec. 24.
(Composition of shire councils.)

Sec. 25.
(Mayors and presidents.)

Sec. 25A.
(Election of Lord Mayors, Mayors and Presidents by electors.)

Local Government (Elections) Amendment.

- Sec. 27.
(Time for election of mayor or president.)
- (e) by omitting subsection two of section twenty-seven;
- Sec. 29.
(Mayors and presidents.)
- (f) by omitting subsection six of section twenty-nine;
- Sec. 32.
(Tenure of office.)
- (g) by omitting from section thirty-two the words "Paragraph (a) of this section shall not apply to the Lord Mayor of the City of Newcastle, the Mayor of the City of Greater Wollongong, or the mayor or president of any other area to which section 25A applies.";
- Sec. 33.
(Office of alderman or councillor.)
- (h) by omitting from subsection two of section thirty-three the words "In this subsection a reference to an alderman or councillor shall, in relation to the City of Newcastle be deemed to include any Lord Mayor, not elected, or in the case of an uncontested election, not declared elected, as an alderman, and in relation to the City of Greater Wollongong and any other area to which section 25A applies, any mayor or president of that city or any such other area, not elected, or in the case of an uncontested election, not declared elected, as an alderman or councillor, as the case may be.";
- Sec. 34.
(Office of mayor or president.)
- (i) by omitting from subsection two of section thirty-four the words "This subsection shall not apply to the Lord Mayor of the City of Newcastle, the Mayor of the City of Greater Wollongong, or the mayor or president of any other area to which section 25A applies.";
- Sec. 38A.
(Election of Lord Mayor.)
- (j) by omitting section 38A;
- Sec. 39.
(Appointed day for election of aldermen or councillors.)
- (k) by omitting subsection two of section thirty-nine;

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- (l) by omitting paragraph (b) of subsection two of section fifty; Sec. 50.
(Qualification of elector.)
- (m) (i) by omitting from subsection one of section seventy-one the words "or as the Lord Mayor of the City of Newcastle, the Mayor of the City of Greater Wollongong, or the mayor or president of any other area to which section 25A applies,"; Sec. 71.
(Nominations.)
- (ii) by omitting paragraph (b) of subsection two of the same section;
- (n) by omitting subsection three of section seventy-two; Sec. 72.
(Uncontested election of aldermen or councillors.)
- (o) by omitting subsection (1A) of section seventy-three; Sec. 73.
(Contested elections of aldermen or councillors.)
- (p) by omitting section 73A; Sec. 73A.
(Election of Lord Mayor.)
- (q) by omitting from subsection four of section eighty-seven the words "Notwithstanding any other provision of this Act, a mayor or president who is an alderman or councillor, as the case may be, of an area by reason only of the provisions of subsection two of section 25A of this Act shall not, at any meeting of the council, have an original vote but shall, in the case of equality of voting at any such meeting, have a casting vote." Sec. 87.
(Powers of mayor or president.)

(2) The provisions of subsection one of this section shall in relation to any area—

- (a) commence, for the purpose only of the holding of the next triennial ordinary election after the day upon which the assent of Her Majesty to this Act is signified, upon that day; and

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- (b) commence, for all purposes, upon the day upon which that election is held.

Further amendment of Act No. 41, 1919.

3. The Principal Act is further amended—

Sec. 73.
(Contested elections of aldermen or councillors.)

- (a) (i) by omitting subsections (3A) and (3B) of section seventy-three and by inserting in lieu thereof the following subsections :—

(3A) (a) Where, after the commencement of the Local Government (Elections) Amendment Act, 1968, any election is held in an area, the system of election by preferential voting for which provision is made by subsection four of this section shall apply to and in respect of that election.

(b) Paragraph (a) of this subsection shall take effect subject to the provisions of any proclamation under subsection (3C) of this section issued after the day on which the assent of Her Majesty to the Local Government (Elections) Amendment Act, 1968, is signified.

(3B) Where—

- (a) the council receives a petition signed by not less than one-tenth in number of the enrolled electors praying that a poll be taken on the question of adopting whichever of the following systems of election does not apply in its area, that is to say—

- (i) the system of election according to the principle of proportional representation; or

(ii)

Local Government (Elections) Amendment.

(ii) the system of election by preferential voting for which provision is made by subsection four of this section; or

(b) the council resolves that such a poll be taken,

the council shall, unless such a poll has been held since the date of the last ordinary election or the petition is presented or resolution passed within the last six months of the council's term of office, forthwith take such a poll and shall certify the result thereof to the Governor.

(ii) by inserting in paragraph (b) of subsection four of the same section after the word "candidates" where lastly occurring the words " , but shall not exceed fifteen";

(iii) by inserting in subparagraph (v) of paragraph (d) of the same subsection after the word "subsection" the words " , but shall not be informal under this subparagraph where the voter, in voting for at least that prescribed number of candidates, indicates his first preference for one candidate in accordance with the paragraph but fails to indicate his subsequent preferences consecutively by reason only that he repeats or omits one or more numbers";

(b) (i) by inserting in Schedule Six after the word "ward" wherever occurring the words "or riding"; Sch. Six.
(Method of
Counting
Votes at
Contested
Elections.)

(ii) by inserting in Division 3 of the same Schedule after the word "three" the words "or more";

(iii) by inserting in the same Division after the word "third" the words "and every subsequent";

(iv)

Local Government (Elections) Amendment.

- (iv) by omitting from paragraph (b) of Rule 2 of Division 4 of the same Schedule the word "break" wherever occurring and by inserting in lieu thereof the words "repetition or omission";
- (v) by omitting from the same paragraph the words "subparagraph (v) of paragraph (d) of the proviso to" and by inserting in lieu thereof the words "paragraph (d) of".

4. The Principal Act is further amended—

Further amendment of Act No. 41, 1919.

Secs. 74A-74G. (Compulsory voting.)

Sec. 82A. (Voting to be compulsory at certain polls.)

Sch. Eight. (Compulsory Voting.)

- (a) by omitting sections 74A to 74G, both sections inclusive;
- (b) by omitting section 82A;
- (c) by omitting Schedule Eight.

5. (1) This section shall commence upon a day to be appointed by the Governor and notified by proclamation.

Further amendment of Act No. 41, 1919.

(2) The Principal Act is further amended—

Sec. 23. (Composition of city and municipal councils.)

Sec. 24. (Composition of shire councils.)

- (a) by inserting in subsection seven of section twenty-three after the word "paragraph" the letter and symbols "(a),";
- (b) by inserting in subsection seven of section twenty-four after the word "paragraph" the letter and symbols "(a),";

(c)

Local Government (Elections) Amendment.

- (c) by omitting from paragraph (d) of subsection one of section twenty-seven the word "December" and by inserting in lieu thereof the word "September";
- Sec. 27.
(Time for election of mayor or president.)
- (d) by inserting at the end of subsection two of section 29A the following new paragraph :—
- Sec. 29A.
(Payment of fees to members.)
- A reference in this subsection to a year shall be construed as a reference to a period of twelve months that commences on the third Saturday in September in any year.
- (e) by omitting subsection one of section thirty-nine and by inserting in lieu thereof the following subsection :—
- Sec. 39.
(Appointed day for election of aldermen or councillors.)
- (1) The appointed day for an election of aldermen or councillors shall be—
- (a) for the ordinary election in the year one thousand nine hundred and seventy-one—the third Saturday in September;
- (b) for ordinary elections after the year one thousand nine hundred and seventy-one—the third Saturday in September in every third year thereafter;
- (c) for the first election after the constitution of an area or for an election in respect of a defaulting area—a Saturday to be proclaimed by the Governor;
- (d) for an extraordinary election—a Saturday fixed and advertised by the returning officer, being within three months after the occurrence of an extraordinary vacancy.

(f)

Local Government (Elections) Amendment.

Sec. 563.
(Corporate
body.)

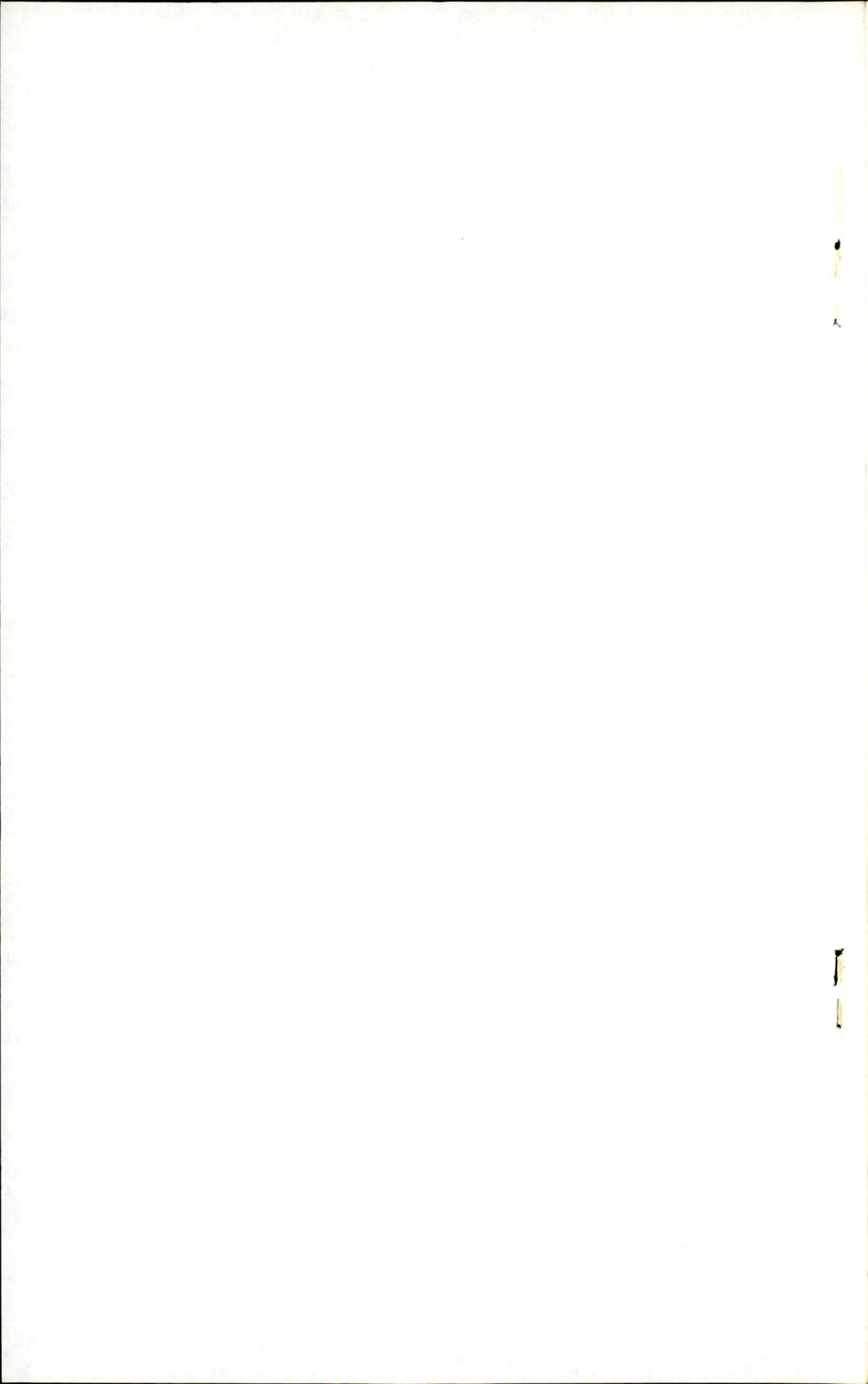
(f) by omitting paragraph (a) of subsection three of section five hundred and sixty-three and by inserting in lieu thereof the following paragraph :—

(a) at the first meeting of the county council after the general elections of the constituent councils, and annually, at the first meeting of the county council after the anniversary of those general elections.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1968





I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 25 September, 1968.*

New South Wales



ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 19, 1968.

An Act to make further provisions with respect to the election of mayors and presidents under the Local Government Act, 1919, and the systems of election under that Act; to abolish compulsory voting at local government elections and polls; to alter the day for holding the triennial election of aldermen and councillors; for these purposes to amend the Local Government Act, 1919, and certain other Acts; and for purposes connected therewith. [Assented to, 2nd October, 1968.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

L. A. PUNCH,
Chairman of Committees of the Legislative Assembly.

Local Government (Elections) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title. **1.** (1) This Act may be cited as the "Local Government (Elections) Amendment Act, 1968".

(2) The Local Government Act, 1919, as subsequently amended, is in this Act referred to as the Principal Act.

Amendment of Act No. 41, 1919. **2.** (1) The Principal Act is amended—

Sec. 23. (Composition of city and municipal councils.) (a) (i) by omitting subsections (1A) and (1B) of section twenty-three and by inserting in lieu thereof the following subsection:—

(1A) On and from the general election next following the commencement of the Local Government (Elections) Amendment Act, 1968—

- (a) the Council of the City of Newcastle shall be reconstituted and shall consist of twenty-one aldermen;
- (b) the Council of the City of Greater Wollongong shall be reconstituted and shall consist of fifteen aldermen; and
- (c) each council of any other municipality to which section 25A of this Act as in force immediately before that commencement applied immediately before that commencement shall be reconstituted and shall consist of such number of aldermen as had been last fixed by the Governor pursuant to this Act in respect of that council before that commencement.

(ii)

Local Government (Elections) Amendment.

- (ii) by inserting at the end of subsection two of the same section the following new paragraph :—

This subsection extends to authorising the Governor to alter the number of aldermen of any council referred to in subsection (1A) of this section.
- (iii) by omitting from subsection eight of the same section the symbols, figure and letter “, (1B)”;
- (b) (i) by omitting subsections (1A) and (1B) of section twenty-four and by inserting in lieu thereof the following subsection :—

Sec. 24.
(Composi-
tion of
shire
councils.)

(1A) On and from the general election next following the commencement of the Local Government (Elections) Amendment Act, 1968, each council of a shire to which section 25A of this Act as in force immediately before that commencement applied immediately before that commencement shall be reconstituted and shall consist of such number of councillors as had been last fixed by the Governor pursuant to this Act in respect of that council before that commencement.
- (ii) by inserting at the end of subsection two of the same section the following new paragraph :—

This subsection extends to authorising the Governor to alter the number of councillors of any council referred to in subsection (1A) of this section.
- (iii) by omitting from subsection eight of the same section the symbols, figure and letter “, (1B)”;
- (c) by omitting subsection five of section twenty-five;

Sec. 25.
(Mayors and
presidents.)
- (d) by omitting section 25A;

Sec. 25A.
(Election of
Lord
Mayors,
Mayors and
Presidents
by electors.)
- (e)

Local Government (Elections) Amendment.

- Sec. 27.
(Time for election of mayor or president.)
- (e) by omitting subsection two of section twenty-seven;
- Sec. 29.
(Mayors and presidents.)
- (f) by omitting subsection six of section twenty-nine;
- Sec. 32.
(Tenure of office.)
- (g) by omitting from section thirty-two the words "Paragraph (a) of this section shall not apply to the Lord Mayor of the City of Newcastle, the Mayor of the City of Greater Wollongong, or the mayor or president of any other area to which section 25A applies.";
- Sec. 33.
(Office of alderman or councillor.)
- (h) by omitting from subsection two of section thirty-three the words "In this subsection a reference to an alderman or councillor shall, in relation to the City of Newcastle be deemed to include any Lord Mayor, not elected, or in the case of an uncontested election, not declared elected, as an alderman, and in relation to the City of Greater Wollongong and any other area to which section 25A applies, any mayor or president of that city or any such other area, not elected, or in the case of an uncontested election, not declared elected, as an alderman or councillor, as the case may be.";
- Sec. 34.
(Office of mayor or president.)
- (i) by omitting from subsection two of section thirty-four the words "This subsection shall not apply to the Lord Mayor of the City of Newcastle, the Mayor of the City of Greater Wollongong, or the mayor or president of any other area to which section 25A applies.";
- Sec. 38A.
(Election of Lord Mayor.)
- (j) by omitting section 38A;
- Sec. 39.
(Appointed day for election of aldermen or councillors.)
- (k) by omitting subsection two of section thirty-nine;

Local Government (Elections) Amendment.

- (l) by omitting paragraph (b) of subsection two of section fifty; Sec. 50.
(Qualification of elector.)
- (m) (i) by omitting from subsection one of section seventy-one the words "or as the Lord Mayor of the City of Newcastle, the Mayor of the City of Greater Wollongong, or the mayor or president of any other area to which section 25A applies,"; Sec. 71.
(Nominations.)
- (ii) by omitting paragraph (b) of subsection two of the same section;
- (n) by omitting subsection three of section seventy-two; Sec. 72.
(Uncontested election of aldermen or councillors.)
- (o) by omitting subsection (1A) of section seventy-three; Sec. 73.
(Contested elections of aldermen or councillors.)
- (p) by omitting section 73A; Sec. 73A.
(Election of Lord Mayor.)
- (q) by omitting from subsection four of section eighty-seven the words "Notwithstanding any other provision of this Act, a mayor or president who is an alderman or councillor, as the case may be, of an area by reason only of the provisions of subsection two of section 25A of this Act shall not, at any meeting of the council, have an original vote but shall, in the case of equality of voting at any such meeting, have a casting vote." Sec. 87.
(Powers of mayor or president.)
- (2) The provisions of subsection one of this section shall in relation to any area—
- (a) commence, for the purpose only of the holding of the next triennial ordinary election after the day upon which the assent of Her Majesty to this Act is signified, upon that day; and
- (b)

Local Government (Elections) Amendment.

(b) commence, for all purposes, upon the day upon which that election is held.

Further amendment of Act No. 41, 1919.

3. The Principal Act is further amended—

Sec. 73.
(Contested elections of aldermen or councillors.)

(a) (i) by omitting subsections (3A) and (3B) of section seventy-three and by inserting in lieu thereof the following subsections :—

(3A) (a) Where, after the commencement of the Local Government (Elections) Amendment Act, 1968, any election is held in an area, the system of election by preferential voting for which provision is made by subsection four of this section shall apply to and in respect of that election.

(b) Paragraph (a) of this subsection shall take effect subject to the provisions of any proclamation under subsection (3C) of this section issued after the day on which the assent of Her Majesty to the Local Government (Elections) Amendment Act, 1968, is signified.

(3B) Where—

(a) the council receives a petition signed by not less than one-tenth in number of the enrolled electors praying that a poll be taken on the question of adopting whichever of the following systems of election does not apply in its area, that is to say—

(i) the system of election according to the principle of proportional representation; or

(ii)

Local Government (Elections) Amendment.

(ii) the system of election by preferential voting for which provision is made by subsection four of this section; or

(b) the council resolves that such a poll be taken,

the council shall, unless such a poll has been held since the date of the last ordinary election or the petition is presented or resolution passed within the last six months of the council's term of office, forthwith take such a poll and shall certify the result thereof to the Governor.

(ii) by inserting in paragraph (b) of subsection four of the same section after the word "candidates" where lastly occurring the words " , but shall not exceed fifteen";

(iii) by inserting in subparagraph (v) of paragraph (d) of the same subsection after the word "subsection" the words " , but shall not be informal under this subparagraph where the voter, in voting for at least that prescribed number of candidates, indicates his first preference for one candidate in accordance with the paragraph but fails to indicate his subsequent preferences consecutively by reason only that he repeats or omits one or more numbers";

(b) (i) by inserting in Schedule Six after the word "ward" wherever occurring the words "or riding";

Sch. Six.
(Method of
Counting
Votes at
Contested
Elections.)

(ii) by inserting in Division 3 of the same Schedule after the word "three" the words "or more";

(iii) by inserting in the same Division after the word "third" the words "and every subsequent";

(iv)

Local Government (Elections) Amendment.

- (iv) by omitting from paragraph (b) of Rule 2 of Division 4 of the same Schedule the word "break" wherever occurring and by inserting in lieu thereof the words "repetition or omission";
- (v) by omitting from the same paragraph the words "subparagraph (v) of paragraph (d) of the proviso to" and by inserting in lieu thereof the words "paragraph (d) of".

Further amendment of Act No. 41, 1919.

Secs. 74A-74G.
(Compulsory voting.)

Sec. 82A.
(Voting to be compulsory at certain polls.)

Sch. Eight.
(Compulsory Voting.)

4. The Principal Act is further amended—

- (a) by omitting sections 74A to 74G, both sections inclusive;
- (b) by omitting section 82A;
- (c) by omitting Schedule Eight.

Further amendment of Act No. 41, 1919.

5. (1) This section shall commence upon a day to be appointed by the Governor and notified by proclamation.

(2) The Principal Act is further amended—

Sec. 23.
(Composition of city and municipal councils.)

Sec. 24.
(Composition of shire councils.)

- (a) by inserting in subsection seven of section twenty-three after the word "paragraph" the letter and symbols "(a),";
- (b) by inserting in subsection seven of section twenty-four after the word "paragraph" the letter and symbols "(a),";

(c)

Local Government (Elections) Amendment.

- (c) by omitting from paragraph (d) of subsection one of section twenty-seven the word "December" and by inserting in lieu thereof the word "September";

Sec. 27.
(Time for election of mayor or president.)

- (d) by inserting at the end of subsection two of section 29A the following new paragraph :—

Sec. 29A.
(Payment of fees to members.)

A reference in this subsection to a year shall be construed as a reference to a period of twelve months that commences on the third Saturday in September in any year.

- (e) by omitting subsection one of section thirty-nine and by inserting in lieu thereof the following subsection :—

Sec. 39.
(Appointed day for election of aldermen or councillors.)

(1) The appointed day for an election of aldermen or councillors shall be—

- (a) for the ordinary election in the year one thousand nine hundred and seventy-one—the third Saturday in September;
- (b) for ordinary elections after the year one thousand nine hundred and seventy-one—the third Saturday in September in every third year thereafter;
- (c) for the first election after the constitution of an area or for an election in respect of a defaulting area—a Saturday to be proclaimed by the Governor;
- (d) for an extraordinary election—a Saturday fixed and advertised by the returning officer, being within three months after the occurrence of an extraordinary vacancy.

(f)

Local Government (Elections) Amendment.

Sec. 563.
(Corporate
body.)

(f) by omitting paragraph (a) of subsection three of section five hundred and sixty-three and by inserting in lieu thereof the following paragraph :—

(a) at the first meeting of the county council after the general elections of the constituent councils, and annually, at the first meeting of the county council after the anniversary of those general elections.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 2nd October, 1968.*

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 17 September, 1968.*

New South Wales



ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1968.

An Act to make further provisions with respect to the election of mayors and presidents under the Local Government Act, 1919, and the systems of election under that Act; to abolish compulsory voting at local government elections and polls; to alter the day for holding the triennial election of aldermen and councillors; for these purposes to amend the Local Government Act, 1919, and certain other Acts; and for purposes connected therewith.

BE

Local Government (Elections) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Local Government (Elections) Amendment Act, 1968". Short title.

(2) The Local Government Act, 1919, as subsequently amended, is in this Act referred to as the Principal Act.

2. (1) The Principal Act is amended—

Amendment of Act No. 41, 1919.

(a) (i) by omitting subsections (1A) and (1B) of section twenty-three and by inserting in lieu thereof the following subsection :—

Sec. 23. (Composition of city and municipal councils.)

(1A) On and from the general election next following the commencement of the Local Government (Elections) Amendment Act, 1968—

(a) the Council of the City of Newcastle shall be reconstituted and shall consist of twenty-one aldermen ;

(b) the Council of the City of Greater Wollongong shall be reconstituted and shall consist of fifteen aldermen ; and

(c) each council of any other municipality to which section 25A of this Act as in force immediately before that commencement applied immediately before that commencement shall be reconstituted and shall consist of such number of aldermen as had been last fixed by the Governor pursuant to this Act in respect of that council before that commencement.

(ii)

Local Government (Elections) Amendment.

(ii) by inserting at the end of subsection two of the same section the following new paragraph :—

5 This subsection extends to authorising the Governor to alter the number of aldermen of any council referred to in subsection (1A) of this section.

(iii) by omitting from subsection eight of the same section the symbols, figure and letter “, (1B)”;

10 (b) (i) by omitting subsections (1A) and (1B) of section twenty-four and by inserting in lieu thereof the following subsection :—

Sec. 24.
(Composi-
tion of
shire
councils.)

15 (1A) On and from the general election next following the commencement of the Local Government (Elections) Amendment Act, 1968, each council of a shire to which section 25A of this Act as in force immediately before that commencement applied immediately before that commencement shall be reconstituted and shall consist of such number of councillors as had been last fixed by the Governor pursuant to this Act in respect of that council before that commencement.

20 (ii) by inserting at the end of subsection two of the same section the following new paragraph :—

25 This subsection extends to authorising the Governor to alter the number of councillors of any council referred to in subsection (1A) of this section.

30 (iii) by omitting from subsection eight of the same section the symbols, figure and letter “, (1B)”;

(c) by omitting subsection five of section twenty-five;

Sec. 25.
(Mayors and
presidents.)

(d) by omitting section 25A;

Sec. 25A.
(Election of
Lord
Mayors,
Mayors and
Presidents
by electors.)

(e)

Local Government (Elections) Amendment.

- (e) by omitting subsection two of section twenty-seven; Sec. 27.
(Time for election of mayor or president.)
- (f) by omitting subsection six of section twenty-nine; Sec. 29.
(Mayors and presidents.)
- 5 (g) by omitting from section thirty-two the words Sec. 32.
"Paragraph (a) of this section shall not apply to (Tenure of office.)
the Lord Mayor of the City of Newcastle, the Mayor
of the City of Greater Wollongong, or the mayor
or president of any other area to which section 25A
applies.";
- 10 (h) by omitting from subsection two of section thirty- Sec. 33.
three the words "In this subsection a reference to an (Office of
alderman or councillor shall, in relation to the City alderman or
of Newcastle be deemed to include any Lord Mayor, councillor.)
not elected, or in the case of an uncontested elec-
tion, not declared elected, as an alderman, and in
15 relation to the City of Greater Wollongong and any
other area to which section 25A applies, any mayor
or president of that city or any such other area, not
elected, or in the case of an uncontested election,
not declared elected, as an alderman or councillor,
20 as the case may be.";
- (i) by omitting from subsection two of section thirty- Sec. 34.
four the words "This subsection shall not apply to (Office of
the Lord Mayor of the City of Newcastle, the Mayor mayor or
of the City of Greater Wollongong, or the mayor or president.)
25 president of any other area to which section 25A
applies.";
- (j) by omitting section 38A; Sec. 38A.
(Election of Lord Mayor.)
- (k) by omitting subsection two of section thirty-nine; Sec. 39.
(Appointed day for election of aldermen or councillors.)
(1)

Local Government (Elections) Amendment.

- (l) by omitting paragraph (b) of subsection two of section fifty; Sec. 50.
(Qualification of elector.)
- 5 (m) (i) by omitting from subsection one of section seventy-one the words "or as the Lord Mayor of the City of Newcastle, the Mayor of the City of Greater Wollongong, or the mayor or president of any other area to which section 25A applies,"; Sec. 71.
(Nominations.)
- 10 (ii) by omitting paragraph (b) of subsection two of the same section;
- (n) by omitting subsection three of section seventy-two; Sec. 72.
(Uncontested election of aldermen or councillors.)
- (o) by omitting subsection (1A) of section seventy-three; Sec. 73.
(Contested elections of aldermen or councillors.)
- 15 (p) by omitting section 73A; Sec. 73A.
(Election of Lord Mayor.)
- (q) by omitting from subsection four of section eighty-seven the words "Notwithstanding any other provision of this Act, a mayor or president who is an alderman or councillor, as the case may be, of an area by reason only of the provisions of subsection two of section 25A of this Act shall not, at any meeting of the council, have an original vote but shall, in the case of equality of voting at any such meeting, have a casting vote." Sec. 87.
(Powers of mayor or president.)
- 20
- 25 (2) The provisions of subsection one of this section shall in relation to any area—
- (a) commence, for the purpose only of the holding of the next triennial ordinary election after the day upon which the assent of Her Majesty to this Act is signified, upon that day; and
- 30 (b)

Local Government (Elections) Amendment.

(b) commence, for all purposes, upon the day upon which that election is held.

3. The Principal Act is further amended—

Further amendment of Act No. 41, 1919.

5 (a) (i) by omitting subsections (3A) and (3B) of section seventy-three and by inserting in lieu thereof the following subsections :—
(Contested elections of aldermen or councillors.)

10 (3A) (a) Where, after the commencement of the Local Government (Elections) Amendment Act, 1968, any election is held in an area, the system of election by preferential voting for which provision is made by subsection four of this section shall apply to and in respect of that election.

15 (b) Paragraph (a) of this subsection shall take effect subject to the provisions of any proclamation under subsection (3C) of this section issued after the day on which the assent of Her Majesty to the Local Government (Elections) Amendment Act, 1968, is signified.
20

(3B) Where—

25 (a) the council receives a petition signed by not less than one-tenth in number of the enrolled electors praying that a poll be taken on the question of adopting whichever of the following systems of election does not apply in its area, that is to say—

30 (i) the system of election according to the principle of proportional representation; or

(ii)

Local Government (Elections) Amendment.

(ii) the system of election by preferential voting for which provision is made by subsection four of this section; or

5 (b) the council resolves that such a poll be taken,

the council shall, unless such a poll has been held since the date of the last ordinary election or the petition is presented or resolution passed within the last six months of the council's term of office, forthwith take such a poll and shall certify the result thereof to the Governor.

10
15 (ii) by inserting in paragraph (b) of subsection four of the same section after the word "candidates" where lastly occurring the words ", but shall not exceed fifteen";

20 (iii) by inserting in subparagraph (v) of paragraph (d) of the same subsection after the word "subsection" the words ", but shall not be informal under this subparagraph where the voter, in voting for at least that prescribed number of candidates, indicates his first preference for one candidate in accordance with the paragraph but fails to indicate his subsequent preferences consecutively by reason only that he repeats or omits one or more numbers";

30 (b) (i) by inserting in Schedule Six after the word "ward" wherever occurring the words "or riding";

Sch. Six.
(Method of
Counting
Votes at
Contested
Elections.)

(ii) by inserting in Division 3 of the same Schedule after the word "three" the words "or more";

35 (iii) by inserting in the same Division after the word "third" the words "and every subsequent";

(iv)

Local Government (Elections) Amendment.

- 5 (iv) by omitting from paragraph (b) of Rule 2 of Division 4 of the same Schedule the word "break" wherever occurring and by inserting in lieu thereof the words "repetition or omission";
- (v) by omitting from the same paragraph the words "subparagraph (v) of paragraph (d) of the proviso to" and by inserting in lieu thereof the words "paragraph (d) of".

10 4. The Principal Act is further amended—

- (a) by omitting sections 74A to 74G, both sections inclusive; Further amendment of Act No. 41, 1919.
Secs. 74A-74G.
(Compulsory voting.)
- (b) by omitting section 82A; Sec. 82A.
(Voting to be compulsory at certain polls.)
- (c) by omitting Schedule Eight. Sch. Eight.
(Compulsory Voting.)

15 5. (1) This section shall commence upon a day to be appointed by the Governor and notified by proclamation. Further amendment of Act No. 41, 1919.

(2) The Principal Act is further amended—

- 20 (a) by inserting in subsection seven of section twenty-three after the word "paragraph" the letter and symbols "(a),"; Sec. 23.
(Composition of city and municipal councils.)
- (b) by inserting in subsection seven of section twenty-four after the word "paragraph" the letter and symbols "(a),"; Sec. 24.
(Composition of shire councils.)

(c)

Local Government (Elections) Amendment.

(c) by omitting from paragraph (d) of subsection one of section twenty-seven the word "December" and by inserting in lieu thereof the word "September";

Sec. 27.
(Time for election of mayor or president.)

5 (d) by inserting at the end of subsection two of section 29A the following new paragraph :—

Sec. 29A.
(Payment of fees to members.)

A reference in this subsection to a year shall be construed as a reference to a period of twelve months that commences on the third Saturday in September in any year.

10 (e) by omitting subsection one of section thirty-nine and by inserting in lieu thereof the following subsection :—

Sec. 39.
(Appointed day for election of aldermen or councillors.)

(1) The appointed day for an election of aldermen or councillors shall be—

15 (a) for the ordinary election in the year one thousand nine hundred and seventy-one—the third Saturday in September;

20 (b) for ordinary elections after the year one thousand nine hundred and seventy-one—the third Saturday in September in every third year thereafter;

25 (c) for the first election after the constitution of an area or for an election in respect of a defaulting area—a Saturday to be proclaimed by the Governor;

(d) for an extraordinary election—a Saturday fixed and advertised by the returning officer, being within three months after the occurrence of an extraordinary vacancy.

Local Government (Elections) Amendment.

(f) by omitting paragraph (a) of subsection three of section five hundred and sixty-three and by inserting in lieu thereof the following paragraph :—

Sec. 563.
(Corporate
body.)

5

(a) at the first meeting of the county council after the general elections of the constituent councils, and annually, at the first meeting of the county council after the anniversary of those general elections.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1968
[10c]

No. , 1968.

A BILL

To make further provisions with respect to the election of mayors and presidents under the Local Government Act, 1919, and the systems of election under that Act; to abolish compulsory voting at local government elections and polls; to alter the day for holding the triennial election of aldermen and councillors; for these purposes to amend the Local Government Act, 1919, and certain other Acts; and for purposes connected therewith.

[MR MORTON—27 August, 1968.]

BE

Local Government (Elections) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Local Government (Elections) Amendment Act, 1968". Short title.

(2) The Local Government Act, 1919, as subsequently amended, is in this Act referred to as the Principal Act.

2. (1) The Principal Act is amended—

Amendment
of Act No.
41, 1919.

(a) (i) by omitting subsections (1A) and (1B) of section twenty-three and by inserting in lieu thereof the following subsection :—

Sec. 23.
(Composition
of
city and
municipal
councils.)

15 (1A) On and from the general election next following the commencement of the Local Government (Elections) Amendment Act, 1968—

20 (a) the Council of the City of Newcastle shall be reconstituted and shall consist of twenty-one aldermen ;

(b) the Council of the City of Greater Wollongong shall be reconstituted and shall consist of fifteen aldermen ; and

25 (c) each council of any other municipality to which section 25A of this Act as in force immediately before that commencement applied immediately before that commencement shall be reconstituted and shall consist of such number of aldermen as had been last fixed by the Governor pursuant to this Act in respect of that council before that commencement.

(ii)

Local Government (Elections) Amendment.

- (ii) by inserting at the end of subsection two of the same section the following new paragraph :—
 This subsection extends to authorising the Governor to alter the number of aldermen of any council referred to in subsection (1A) of this section.
- (iii) by omitting from subsection eight of the same section the symbols, figure and letter “, (1B)”;
- (b) (i) by omitting subsections (1A) and (1B) of section twenty-four and by inserting in lieu thereof the following subsection :—
 (1A) On and from the general election next following the commencement of the Local Government (Elections) Amendment Act, 1968, each council of a shire to which section 25A of this Act as in force immediately before that commencement applied immediately before that commencement shall be reconstituted and shall consist of such number of councillors as had been last fixed by the Governor pursuant to this Act in respect of that council before that commencement.
- (ii) by inserting at the end of subsection two of the same section the following new paragraph :—
 This subsection extends to authorising the Governor to alter the number of councillors of any council referred to in subsection (1A) of this section.
- (iii) by omitting from subsection eight of the same section the symbols, figure and letter “, (1B)”;
- (c) by omitting subsection five of section twenty-five;
- (d) by omitting section 25A;
- (e)

Sec. 24.
(Composition of shire councils.)

Sec. 25.
(Mayors and presidents.)

Sec. 25A.
(Election of Lord Mayors, Mayors and Presidents by electors.)

Local Government (Elections) Amendment.

- (e) by omitting subsection two of section twenty-seven; Sec. 27.
(Time for election of mayor or president.)
- (f) by omitting subsection six of section twenty-nine; Sec. 29.
(Mayors and presidents.)
- (g) by omitting from section thirty-two the words "Paragraph (a) of this section shall not apply to the Lord Mayor of the City of Newcastle, the Mayor of the City of Greater Wollongong, or the mayor or president of any other area to which section 25A applies."; Sec. 32.
(Tenure of office.)
- (h) by omitting from subsection two of section thirty-three the words "In this subsection a reference to an alderman or councillor shall, in relation to the City of Newcastle be deemed to include any Lord Mayor, not elected, or in the case of an uncontested election, not declared elected, as an alderman, and in relation to the City of Greater Wollongong and any other area to which section 25A applies, any mayor or president of that city or any such other area, not elected, or in the case of an uncontested election, not declared elected, as an alderman or councillor, as the case may be."; Sec. 33.
(Office of alderman or councillor.)
- (i) by omitting from subsection two of section thirty-four the words "This subsection shall not apply to the Lord Mayor of the City of Newcastle, the Mayor of the City of Greater Wollongong, or the mayor or president of any other area to which section 25A applies."; Sec. 34.
(Office of mayor or president.)
- (j) by omitting section 38A; Sec. 38A.
(Election of Lord Mayor.)
- (k) by omitting subsection two of section thirty-nine; Sec. 39.
(Appointed day for election of aldermen or councillors.)
- (1)

Local Government (Elections) Amendment.

- (l) by omitting paragraph (b) of subsection two of section fifty; Sec. 50.
(Qualification of elector.)
- 5 (m) (i) by omitting from subsection one of section seventy-one the words "or as the Lord Mayor of the City of Newcastle, the Mayor of the City of Greater Wollongong, or the mayor or president of any other area to which section 25A applies,"; Sec. 71.
(Nominations.)
- 10 (ii) by omitting paragraph (b) of subsection two of the same section;
- (n) by omitting subsection three of section seventy-two; Sec. 72.
(Uncontested election of aldermen or councillors.)
- (o) by omitting subsection (1A) of section seventy-three; Sec. 73.
(Contested elections of aldermen or councillors.)
- 15 (p) by omitting section 73A; Sec. 73A.
(Election of Lord Mayor.)
- 20 (q) by omitting from subsection four of section eighty-seven the words "Notwithstanding any other provision of this Act, a mayor or president who is an alderman or councillor, as the case may be, of an area by reason only of the provisions of subsection two of section 25A of this Act shall not, at any meeting of the council, have an original vote but shall, in the case of equality of voting at any such meeting, have a casting vote." Sec. 87.
(Powers of mayor or president.)
- 25 (2) The provisions of subsection one of this section shall in relation to any area—
- 30 (a) commence, for the purpose only of the holding of the next triennial ordinary election after the day upon which the assent of Her Majesty to this Act is signified, upon that day; and
- (b)

Local Government (Elections) Amendment.

(b) commence, for all purposes, upon the day upon which that election is held.

3. The Principal Act is further amended—

Further amendment of Act No. 41, 1919.

5 (a) (i) by omitting subsections (3A) and (3B) of section seventy-three and by inserting in lieu thereof the following subsections :—
Sec. 73. (Contested elections of aldermen or councillors.)

10 (3A) (a) Where, after the commencement of the Local Government (Elections) Amendment Act, 1968, any election is held in an area, the system of election by preferential voting for which provision is made by subsection four of this section shall apply to and in respect of that election.

15 (b) Paragraph (a) of this subsection shall take effect subject to the provisions of any proclamation under subsection (3C) of this section issued after the day on which the assent of Her Majesty to the Local Government (Elections) Amendment Act, 1968, is signified.
20

(3B) Where—

25 (a) the council receives a petition signed by not less than one-tenth in number of the enrolled electors praying that a poll be taken on the question of adopting whichever of the following systems of election does not apply in its area, that is to say—

30 (i) the system of election according to the principle of proportional representation; or

(ii)

Local Government (Elections) Amendment.

(ii) the system of election by preferential voting for which provision is made by subsection four of this section; or

5 (b) the council resolves that such a poll be taken,

10 the council shall, unless such a poll has been held since the date of the last ordinary election or the petition is presented or resolution passed within the last six months of the council's term of office, forthwith take such a poll and shall certify the result thereof to the Governor.

15 (ii) by inserting in paragraph (b) of subsection four of the same section after the word "candidates" where lastly occurring the words ", but shall not exceed fifteen";

20 (iii) by inserting in subparagraph (v) of paragraph (d) of the same subsection after the word "subsection" the words ", but shall not be informal under this subparagraph where the voter, in voting for at least that prescribed number of candidates, indicates his first preference for one candidate in accordance with the paragraph but fails to indicate his subsequent preferences consecutively by reason only that he repeats or omits one or more numbers";

30 (b) (i) by inserting in Schedule Six after the word "ward" wherever occurring the words "or riding"; Sch. Six. (Method of Counting Votes at Contested Elections.)

(ii) by inserting in Division 3 of the same Schedule after the word "three" the words "or more";

35 (iii) by inserting in the same Division after the word "third" the words "and every subsequent";

(iv)

Local Government (Elections) Amendment.

- 5 (iv) by omitting from paragraph (b) of Rule 2 of Division 4 of the same Schedule the word "break" wherever occurring and by inserting in lieu thereof the words "repetition or omission";
- (v) by omitting from the same paragraph the words "subparagraph (v) of paragraph (d) of the proviso to" and by inserting in lieu thereof the words "paragraph (d) of".

10 4. The Principal Act is further amended—

- (a) by omitting sections 74A to 74G, both sections inclusive;
- (b) by omitting section 82A;
- (c) by omitting Schedule Eight.

Further amendment of Act No. 41, 1919.

Secs. 74A-74G. (Compulsory voting.)

Sec. 82A. (Voting to be compulsory at certain polls.)

Sch. Eight. (Compulsory Voting.)

15 5. (1) This section shall commence upon a day to be appointed by the Governor and notified by proclamation.

Further amendment of Act No. 41, 1919.

(2) The Principal Act is further amended—

- 20 (a) by inserting in subsection seven of section twenty-three after the word "paragraph" the letter and symbols "(a),";
- (b) by inserting in subsection seven of section twenty-four after the word "paragraph" the letter and symbols "(a),";

Sec. 23. (Composition of city and municipal councils.)

Sec. 24. (Composition of shire councils.)

(c)

Local Government (Elections) Amendment.

- (c) by omitting from paragraph (d) of subsection one of section twenty-seven the word "December" and by inserting in lieu thereof the word "September"; Sec. 27.
(Time for election of mayor or president.)
- 5 (d) by inserting at the end of subsection two of section 29A the following new paragraph :— Sec. 29A.
(Payment of fees to members.)
- A reference in this subsection to a year shall be construed as a reference to a period of twelve months that commences on the third Saturday in September in any year.
- 10 (e) by omitting subsection one of section thirty-nine and by inserting in lieu thereof the following subsection :— Sec. 39.
(Appointed day for election of aldermen or councillors.)
- (1) The appointed day for an election of aldermen or councillors shall be—
- 15 (a) for the ordinary election in the year one thousand nine hundred and seventy-one—the third Saturday in September;
- 20 (b) for ordinary elections after the year one thousand nine hundred and seventy-one—the third Saturday in September in every third year thereafter;
- 25 (c) for the first election after the constitution of an area or for an election in respect of a defaulting area—a Saturday to be proclaimed by the Governor;
- (d) for an extraordinary election—a Saturday fixed and advertised by the returning officer, being within three months after the occurrence of an extraordinary vacancy.

Local Government (Elections) Amendment.

(f) by omitting paragraph (a) of subsection three of Sec. 563. section five hundred and sixty-three and by inserting (Corporate body.) in lieu thereof the following paragraph :—

- 5 (a) at the first meeting of the county council after the general elections of the constituent councils, and annually, at the first meeting of the county council after the anniversary of those general elections.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1968

[10c]

2.10.68

LOCAL GOVERNMENT (ELECTIONS) AMENDMENT BILL, 1968

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to repeal the provisions of the Local Government Act, 1919, as subsequently amended, relating to—
 - (i) the election by popular vote of the Lord Mayor of the City of Newcastle and the Mayor of the City of Greater Wollongong, and the mayors or presidents of certain other areas; and
 - (ii) compulsory voting at elections and polls under that Act, as so amended;
- (b) to provide, subject to paragraph (c) below, that in all areas the system of preferential voting laid down in the Local Government Act, 1919, as subsequently amended, shall apply in respect of all ordinary or extraordinary elections;
- (c) to provide machinery whereby, in respect of any area, a poll of electors can be taken on the question of altering the system of election from preferential to proportional representation, or vice versa, for the purpose of conducting future elections;
- (d) to provide that, after a date to be proclaimed, the ordinary triennial election of aldermen and councillors shall be held on the third Saturday in September in lieu of the first Saturday in December;
- (e) to make other amendments of a minor or ancillary character.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 311

LECTURE 10: ELECTROSTATICS

1. Gauss's Law

2. Electric Field

3. Electric Potential

4. Capacitors

5. Energy

6. Dielectrics

PROOF

No. , 1968.

A BILL

To make further provisions with respect to the election of mayors and presidents under the Local Government Act, 1919, and the systems of election under that Act; to abolish compulsory voting at local government elections and polls; to alter the day for holding the triennial election of aldermen and councillors; for these purposes to amend the Local Government Act, 1919, and certain other Acts; and for purposes connected therewith.

[MR MORTON—27 August, 1968.]

BE

Local Government (Elections) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Local Government (Elections) Amendment Act, 1968". Short title.

(2) The Local Government Act, 1919, as subsequently amended, is in this Act referred to as the Principal Act.

2. (1) The Principal Act is amended—

Amendment
of Act No.
41, 1919.

(a) (i) by omitting subsections (1A) and (1B) of section twenty-three and by inserting in lieu thereof the following subsection :—

Sec. 23.
(Composi-
tion of
city and
municipal
councils.)

15 (1A) On and from the general election next following the commencement of the Local Government (Elections) Amendment Act, 1968—

20 (a) the Council of the City of Newcastle shall be reconstituted and shall consist of twenty-one aldermen ;

(b) the Council of the City of Greater Wollongong shall be reconstituted and shall consist of fifteen aldermen ; and

25 (c) each council of any other municipality to which section 25A of this Act as in force immediately before that commencement applied immediately before that commencement shall be reconstituted and shall consist of such number of aldermen as had been last fixed by the Governor pursuant to this Act in respect of that council before that commencement.

(ii)

Local Government (Elections) Amendment.

- (ii) by inserting at the end of subsection two of the same section the following new paragraph :—
 This subsection extends to authorising the Governor to alter the number of aldermen of any council referred to in subsection (1A) of this section.
- (iii) by omitting from subsection eight of the same section the symbols, figure and letter “, (1B)”;
- (b) (i) by omitting subsections (1A) and (1B) of section twenty-four and by inserting in lieu thereof the following subsection :—
 (1A) On and from the general election next following the commencement of the Local Government (Elections) Amendment Act, 1968, each council of a shire to which section 25A of this Act as in force immediately before that commencement applied immediately before that commencement shall be reconstituted and shall consist of such number of councillors as had been last fixed by the Governor pursuant to this Act in respect of that council before that commencement.
- (ii) by inserting at the end of subsection two of the same section the following new paragraph :—
 This subsection extends to authorising the Governor to alter the number of councillors of any council referred to in subsection (1A) of this section.
- (iii) by omitting from subsection eight of the same section the symbols, figure and letter “, (1B)”;
- (c) by omitting subsection five of section twenty-five;
- (d) by omitting section 25A;
- (e)

Sec. 24.
 (Composi-
 tion of
 shire
 councils.)

Sec. 25.
 (Mayors and
 presidents.)

Sec. 25A.
 (Election of
 Lord
 Mayors,
 Mayors and
 Presidents
 by electors.)

Local Government (Elections) Amendment.

- (e) by omitting subsection two of section twenty-seven; Sec. 27.
(Time for election of mayor or president.)
- (f) by omitting subsection six of section twenty-nine; Sec. 29.
(Mayors and presidents.)
- 5 (g) by omitting from section thirty-two the words Sec. 32.
"Paragraph (a) of this section shall not apply to (Tenure of office.)
the Lord Mayor of the City of Newcastle, the Mayor
of the City of Greater Wollongong, or the mayor
or president of any other area to which section 25A
applies.";
- 10 (h) by omitting from subsection two of section thirty- Sec. 33.
three the words "In this subsection a reference to an (Office of
alderman or councillor shall, in relation to the City alderman or
of Newcastle be deemed to include any Lord Mayor, councillor.)
not elected, or in the case of an uncontested elec-
tion, not declared elected, as an alderman, and in
15 relation to the City of Greater Wollongong and any
other area to which section 25A applies, any mayor
or president of that city or any such other area, not
elected, or in the case of an uncontested election,
20 not declared elected, as an alderman or councillor,
as the case may be.";
- (i) by omitting from subsection two of section thirty- Sec. 34.
four the words "This subsection shall not apply to (Office of
the Lord Mayor of the City of Newcastle, the Mayor mayor or
of the City of Greater Wollongong, or the mayor or president.)
25 president of any other area to which section 25A
applies.";
- (j) by omitting section 38A; Sec. 38A.
(Election of Lord Mayor.)
- (k) by omitting subsection two of section thirty-nine; Sec. 39.
(Appointed day for election of aldermen or councillors.)
- (1)

Local Government (Elections) Amendment.

- (l) by omitting paragraph (b) of subsection two of section fifty; Sec. 50.
(Qualification of elector.)
- 5 (m) (i) by omitting from subsection one of section seventy-one the words "or as the Lord Mayor of the City of Newcastle, the Mayor of the City of Greater Wollongong, or the mayor or president of any other area to which section 25A applies,"; Sec. 71.
(Nominations.)
- 10 (ii) by omitting paragraph (b) of subsection two of the same section;
- (n) by omitting subsection three of section seventy-two; Sec. 72.
(Uncontested election of aldermen or councillors.)
- (o) by omitting subsection (1A) of section seventy-three; Sec. 73.
(Contested elections of aldermen or councillors.)
- 15 (p) by omitting section 73A; Sec. 73A.
(Election of Lord Mayor.)
- (q) by omitting from subsection four of section eighty-seven the words "Notwithstanding any other provision of this Act, a mayor or president who is an alderman or councillor, as the case may be, of an area by reason only of the provisions of subsection two of section 25A of this Act shall not, at any meeting of the council, have an original vote but shall, in the case of equality of voting at any such meeting, have a casting vote." Sec. 87.
(Powers of mayor or president.)
- 20
- 25 (2) The provisions of subsection one of this section shall in relation to any area—
- (a) commence, for the purpose only of the holding of the next triennial ordinary election after the day upon which the assent of Her Majesty to this Act is signified, upon that day; and
- 30 (b)

Local Government (Elections) Amendment.

(b) commence, for all purposes, upon the day upon which that election is held.

3. The Principal Act is further amended—

Further amendment of Act No. 41, 1919.

5 (a) (i) by omitting subsections (3A) and (3B) of section seventy-three and by inserting in lieu thereof the following subsections :—
Sec. 73.
(Contested elections of aldermen or councillors.)

10 (3A) (a) Where, after the commencement of the Local Government (Elections) Amendment Act, 1968, any election is held in an area, the system of election by preferential voting for which provision is made by subsection four of this section shall apply to and in respect of that election.

15 (b) Paragraph (a) of this subsection shall take effect subject to the provisions of any proclamation under subsection (3C) of this section issued after the day on which the assent of Her Majesty to the Local Government (Elections) Amendment Act, 1968, is signified.
20

(3B) Where—

25 (a) the council receives a petition signed by not less than one-tenth in number of the enrolled electors praying that a poll be taken on the question of adopting whichever of the following systems of election does not apply in its area, that is to say—

30 (i) the system of election according to the principle of proportional representation; or

(ii)

Local Government (Elections) Amendment.

(ii) the system of election by preferential voting for which provision is made by subsection four of this section; or

5 (b) the council resolves that such a poll be taken,

10 the council shall, unless such a poll has been held since the date of the last ordinary election or the petition is presented or resolution passed within the last six months of the council's term of office, forthwith take such a poll and shall certify the result thereof to the Governor.

15 (ii) by inserting in paragraph (b) of subsection four of the same section after the word "candidates" where lastly occurring the words ", but shall not exceed fifteen";

20 (iii) by inserting in subparagraph (v) of paragraph (d) of the same subsection after the word "subsection" the words ", but shall not be informal under this subparagraph where the voter, in voting for at least that prescribed number of candidates, indicates his first preference for one candidate in accordance with the paragraph but fails to indicate his subsequent preferences consecutively by reason only that he repeats or omits one or more numbers";

30 (b) (i) by inserting in Schedule Six after the word "ward" wherever occurring the words "or riding"; Sch. Six. (Method of Counting Votes at Contested Elections.)

(ii) by inserting in Division 3 of the same Schedule after the word "three" the words "or more";

35 (iii) by inserting in the same Division after the word "third" the words "and every subsequent";

(iv)

Local Government (Elections) Amendment.

- 5 (iv) by omitting from paragraph (b) of Rule 2 of Division 4 of the same Schedule the word "break" wherever occurring and by inserting in lieu thereof the words "repetition or omission";
- (v) by omitting from the same paragraph the words "subparagraph (v) of paragraph (d) of the proviso to" and by inserting in lieu thereof the words "paragraph (d) of".

10 4. The Principal Act is further amended—

- | | |
|---|--|
| (a) by omitting sections 74A to 74G, both sections inclusive; | Further amendment of Act No. 41, 1919.
Secs. 74A-74G.
(Compulsory voting.) |
| (b) by omitting section 82A; | Sec. 82A.
(Voting to be compulsory at certain polls.) |
| (c) by omitting Schedule Eight. | Sch. Eight.
(Compulsory Voting.) |

15 5. (1) This section shall commence upon a day to be appointed by the Governor and notified by proclamation.

- (2) The Principal Act is further amended—
- | | |
|---|---|
| 20 (a) by inserting in subsection seven of section twenty-three after the word "paragraph" the letter and symbols "(a),"; | Sec. 23.
(Composition of city and municipal councils.) |
| (b) by inserting in subsection seven of section twenty-four after the word "paragraph" the letter and symbols "(a),"; | Sec. 24.
(Composition of shire councils.) |

(c)

Local Government (Elections) Amendment.

- (c) by omitting from paragraph (d) of subsection one of section twenty-seven the word "December" and by inserting in lieu thereof the word "September";
- Sec. 27.
(Time for election of mayor or president.)
- 5 (d) by inserting at the end of subsection two of section 29A the following new paragraph :—
- Sec. 29A.
(Payment of fees to members.)
- A reference in this subsection to a year shall be construed as a reference to a period of twelve months that commences on the third Saturday in September in any year.
- 10 (e) by omitting subsection one of section thirty-nine and by inserting in lieu thereof the following subsection :—
- Sec. 39.
(Appointed day for election of aldermen or councillors.)
- (1) The appointed day for an election of aldermen or councillors shall be—
- 15 (a) for the ordinary election in the year one thousand nine hundred and seventy-one—the third Saturday in September;
- 20 (b) for ordinary elections after the year one thousand nine hundred and seventy-one—the third Saturday in September in every third year thereafter;
- 25 (c) for the first election after the constitution of an area or for an election in respect of a defaulting area—a Saturday to be proclaimed by the Governor;
- (d) for an extraordinary election—a Saturday fixed and advertised by the returning officer, being within three months after the occurrence of an extraordinary vacancy.

Local Government (Elections) Amendment.

(f) by omitting paragraph (a) of subsection three of section five hundred and sixty-three and by inserting in lieu thereof the following paragraph :—

Sec. 563.
(Corporate
body.)

- 5 (a) at the first meeting of the county council after the general elections of the constituent councils, and annually, at the first meeting of the county council after the anniversary of those general elections.

BY AUTHORITY:

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